

## Message Text

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ORIGIN EA-12

INFO OCT-01 ISO-00 HA-05 CIAE-00 DODE-00 PM-05 H-01  
INR-10 L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15  
ICA-11 OMB-01 ACDA-12 IO-13 /097 R

DRAFTED BY EA/K:RRICH:JG  
APPROVED BY EA - MR. OAKLEY  
EA - MR. SULLIVAN  
HA - MR. MORIN  
D - MR. TRATTNER  
EA/RA - MR. CLEVELAND  
-----081627 230928Z /21  
R 230043Z AUG 78  
FM SECSTATE WASHDC  
TO AMEMBASSY SEOUL

C O N F I D E N T I A L STATE 213799

FOR THE AMBASSADOR

E.O. 11652: GDS

TAGS: SHUM, PINS, KS

SUBJECT: HUMAN RIGHTS PROGRESS IN THE REPUBLIC OF  
KOREA

1. WHILE THE AUGUST 14 RELEASE OF 22 EMERGENCY MEASURE  
PRISONERS BY THE KOREAN GOVERNMENT IS A WELCOME STEP,  
PARTICULARLY AS IT INCLUDED THE SEMINARY STUDENTS WHO HAD  
BEEN ASSOCIATED WITH A PARTICULARLY SHARP YANK TO THE  
GOVERNMENT'S TAIL, THIS MODEST NUMBER OF RELEASES OBVIOUSLY  
FALLS SHORT OF THE SIGNIFICANT POLITICAL GESTURE WHICH  
WE HAD HOPED WOULD BE POSSIBLE AT THIS STAGE. A MORE  
FORTHRIGHT AND MAGNANIMOUS ACTION COULD HAVE MARKED A  
REAL COMMITMENT TOWARD MOVING BEYOND ARRESTS OF POLITICAL  
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ACTIVISTS AND RELIANCE ON EMERGENCY DECREES WHICH CIRCUM-  
SCRIBE THE CIVIL RIGHTS PROVIDED FOR IN THE CONSTITUTION.  
WE CANNOT YET DRAW THIS CONCLUSION FROM CURRENT EVENTS,  
HOWEVER, DESPITE THE CONSISTENTLY LOW-KEY ROKG HANDLING  
OF RECENT DISSIDENT ACTIVITIES.

2. IT IS IMPORTANT NOW THAT WE ASSESS HOW BEST TO STIMU-

LATE FURTHER POSITIVE ACTION BY THE ROKG IN THE HUMAN RIGHTS FIELD. KIM TAE-CHUNG REMAINS IN DETENTION. EMERGENCY MEASURE NINE IS STILL IN FORCE. OPPRESSIVE SURVEILLANCE STILL HARASSES SOME FOREIGNERS AND KOREANS ALIKE.

3. IN YOUR ON-GOING EFFORTS TO KEEP OUR CONTINUING HUMAN RIGHTS CONCERNS BEFORE KOREAN LEADERS, YOU SHOULD STRESS PARTICULARLY THE CONTINUED IMPRISONMENT OF POLITICAL DISSIDENTS AND OUR VIEW THAT THE ABOLITION OF EMERGENCY DECREES WOULD NOT ONLY BE WARMLY RECEIVED ABROAD BUT WOULD FUNDAMENTALLY STRENGTHEN KOREAN SOCIETY. WE WOULD LIKE TO HAVE YOUR RECOMMENDATION ON HOW WE CAN MOST EFFECTIVELY INFLUENCE THIS POLITICAL EVOLUTION BEYOND YOUR CONTINUING QUIET DIPLOMACY THERE.

4. IN THIS CONNECTION, AND AS AN EARNEST OF THE ABIDING CONGRESSIONAL CONCERN FOR AND INTEREST IN THESE ISSUES, THE FOLLOWING CATALOGUE OF LEGISLATIVE PROVISIONS RELATING TO HUMAN RIGHTS MAY PROVE USEFUL.

5. LEGISLATIVE PROVISIONS.

A. SECURITY ASSISTANCE LEGISLATION (AUTHORIZATION)  
SECTION 502B OF THE INTERNATIONAL SECURITY ASSISTANCE  
AND ARMS EXPORT CONTROL ACT OF 1976 (PL 94-329).

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B. ECONOMIC ASSISTANCE LEGISLATION (AUTHORIZATION)

1. SECTION 116 OF THE FOREIGN ASSISTANCE ACT OF 1961  
AS AMENDED BY SECTION 111 OF THE INTERNATIONAL DEVELOPMENT AND FOOD ASSISTANCE ACT OF 1977 (PL 95-88).

2. SECTION 112 OF TITLE I OF THE AGRICULTURAL TRADE  
AND ASSISTANCE ACT OF 1954 WHICH IS ADDED BY SECTION 203,  
TITLE II (FOOD FOR PEACE) OF THE INTERNATIONAL DEVELOPMENT AND FOOD ASSISTANCE ACT OF 1977 (PL-95-88).

C. INTERNATIONAL FINANCIAL INSTITUTIONS (AUTHORIZATION)  
SECTION 701 OF THE ACT TO PROVIDE FOR INCREASED PARTICIPATION BY THE US IN THE IBRD, THE IDA, THE IFC, THE ADB AND THE ADF AND FOR OTHER PURPOSES.

D. EXPORT-IMPORT BANK  
SECTION 2(B)(1) OF THE EXPORT-IMPORT BANK ACT OF 1945  
AS AMENDED BY PL 95-143, SECTION 2.

E. FOREIGN ASSISTANCE APPROPRIATIONS.  
SECTION 113 AND 507 OF PL 95-148 OF THE FOREIGN ASSISTANCE

APPROPRIATIONS ACT OF 1977.

F. TRADE ACT OF 1974

JACKSON-VANIK AMENDMENT SECTION 402 OF PL 93-618.

G. STATE, JUSTICE, COMMERCE AUTHORIZATION (FY 1978).

PL 95-45, SECTION 109 AUTHORIZES ESTABLISHMENT OF THE  
OFFICE OF THE ASSISTANT SECRETARY FOR HUMAN RIGHTS AND  
HUMANITARIAN AFFAIRS.

H. UNIVERSAL DECLARATION OF HUMAN RIGHTS.

THIS UN DECLARATION OF DECEMBER 10, 1948 IS NOT SPECI-  
FICALLY REFERRED TO IN ANY OF THE CURRENT LEGISLATION BUT  
FORMS THE BASIS OF MUCH OF THE CONCEPT OF WHAT "HUMAN  
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RIGHTS" ARE. (IT IS MENTIONED IN THE FOREIGN ASSISTANCE  
APPROPRIATIONS ACT OF 1977.)

I. OPIC AMENDMENTS ACT OF 1978.

SECTION 8 OF THE JOINT HOUSE/SENATE CONFERENCE REPORT  
ON THIS ACT SPECIFIES THAT THE HUMAN RIGHTS PROVISIONS  
OF SECTION 116 OF THE FOREIGN ASSISTANCE ACT SHALL BE  
APPLIED TO OPIC LOANS AND INSURANCE.

6. A COMPENDIUM OF THIS HUMAN RIGHTS LEGISLATION IS  
BEING POUCHED. CHRISTOPHER

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NNN

## Message Attributes

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**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** HUMAN RIGHTS, REPORTS  
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**Decaption Date:** 01 jan 1960  
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**Disposition Approved on Date:**  
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**Disposition Date:** 20 Mar 2014  
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